

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
Charles Jarvis and Karen Jarvis
Plaintiff(s),

- v -

Varian Medical Systems, Inc.
Defendant(s).
-----X**Case Management Plan**07 CV. 8181 (RMB)

The following Case Management Plan is entered after consultation with the parties. This Plan is also a Rule 16 and Rule 26(f) scheduling order as required by the Federal Rules of Civil Procedure.

- (i) Joinder of additional parties by 12/29/07
- (ii) Amend the pleadings by 12/29/07
- (iii) All discovery to be expeditiously completed by ~~9/30/08~~ 2/29/08 (FACT + Expert)
- (iv) Consent to Proceed before Magistrate Judge Yes
- (v) Status of settlement discussions None with Principals on 3/10/08
- Sections vi through xi will be set at conference with the Court. (a) 9:30 (subject to pending motion to remand)
- (vi) Motions _____
- (vii) Oral Argument _____
- (viii) Joint Pre-Trial Order to be submitted by _____
- (ix) Final Pre-Trial Conference _____
- (x) Trial _____
- (xi) Other _____

SO ORDERED: New York, New York

10/26/07

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RMB
Hon. Richard M. Berman, U.S.D.J.